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Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities

Concluding observations on the initial report of Paraguay

Addendum

Information received from Paraguay on follow-up to the concluding observations*

[Date received: 6 August 2014]

1. The Paraguayan State hereby provides information on the measures it has taken to act on the recommendations set forth in paragraphs 44 (a), 58 and 70 of the concluding observations on its initial report on the implementation of the Convention on the Rights of Persons with Disabilities, adopted by the Committee on the Rights of Persons with Disabilities at its tenth session (15 and 16 April 2013), as requested in paragraph 80 of the concluding observations.

2. **44. The Committee recommends that the State party:**

(a) Set up a special investigation unit within the competent law-enforcement bodies to find out how these gangs operate.

3. The National Secretariat for the Human Rights of Persons with Disabilities (SENADIS) is currently designating officials from the agencies and bodies of the State, the executive branch, the legislature and the judiciary to act as focal points for the organization of meetings to identify cross-cutting and specific articles of the Convention on the Rights of Persons with Disabilities. A joint plan of action will also be developed involving the institutions of the three branches of government.

4. Once the focal points have been designated, SENADIS will promote and further all actions needed to combat all forms of exploitation of persons with disabilities.

5. Thanks to the efforts made by the State agencies and bodies in this respect and the coordination of their work with civil society organizations, significant progress has been achieved with regard to the recognition of persons with disabilities and their status as subjects of rights. Support for persons with disabilities has thus become a highly visible and cross-cutting component of the Government's plans, programmes and projects, such as the National Human Rights Education Plan, the National Education Plan 2024, the National Sexual and Reproductive Health Plan 2014, the National Comprehensive Early-Childhood Care Plan and the National Public Service Equality Plan.

6. In addition, the National Commission on the Rights of Persons with Disabilities (CONADIS) was established in December 2013 as a forum for consultation and strategic decision-making in respect of comprehensive policies for persons with disabilities. Its

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institutional members include the Ministry of Public Health and Social Welfare, the Ministry of Justice, the Ministry of Women's Affairs, the Ministry of Finance, the National Secretariat for Children and Adolescents, the Civil Service Secretariat, the Council of Governors and the Paraguayan Municipal Cooperation Organization. Seven civil society organizations are also members of CONADIS.

7. A unit of the Public Prosecution Service specialized in trafficking in persons and the sexual exploitation of children is responsible for the prosecution of cases of national and transnational trafficking in persons. Under Act No. 4788/12, the Comprehensive Trafficking in Persons Act, the Inter-Agency Board on Trafficking in Persons is the designated advisory body, under the coordination of the Ministry of Foreign Affairs. At present no cases of victims of trafficking in persons with disabilities have been received.

8. **58. The Committee recommends that the State party implement a strategy to give all children and adolescents with disabilities access to the national education system and that education should be inclusive at all levels and throughout the country and incorporate the gender perspective and be ethnically and linguistically relevant. The Committee urges the State party to modify educational terminology drawn from the medical model and to reorient segregated special education towards the inclusive model and encourage it to move in that direction.**

9. Act No. 5136/13, the Inclusive Education Act, was adopted on 27 December 2013, with the aim of establishing the measures needed to create an inclusive education model in the regular school system, in order to remove obstacles to learning and participation and, with the help of qualified personnel, adaptive technology and universal design, facilitate access for students requiring special educational support.

10. The Ministry of Education and Culture, as the department responsible for education, will take the necessary measures to prevent, combat, eradicate and punish all discriminatory attitudes against those whose rights are guaranteed under the above Act. Once the Act's implementing regulations are in place, all educational institutions — public, fully private or subsidized private institutions — will have to bring their internal rules and regulations into line with the provisions of the Act within not more than six months.

11. For the implementation of inclusive education, the budget of the Ministry of Education and Culture will be given a special annual allocation for public educational institutions and subsidized private institutions at all levels and in all types of schools. A copy of Act No. 5136/13 is attached for further information.

12. **70. The Committee recommends that the State party repeal the provisions restricting the right of persons with disabilities of any kind to vote and that, in consultation with disabled persons' organizations, it adopt measures to guarantee the right of universal, secret suffrage.**

13. The High Court of Electoral Justice seeks to ensure the full enfranchisement of all Paraguayan citizens, without distinction, as established in article 89 of Act No. 834/96, the Act establishing the Paraguayan Electoral Code, according to which: "*The right to vote is exercised in person and individually in the district in which the voter is registered and in the appropriate polling station, without prejudice to the provisions on suffrage by polling officers.*"

14. Accordingly, the Court has established the Commission on Inclusive Voting, which is responsible for the development of plans for polling station help desks for future elections, with a view to providing direct support to persons with disabilities. The help desks will be in visible and easily accessible locations, where they will be able to provide information on polling stations and, where necessary, bring voting facilities closer to persons with disabilities. The Commission is currently working with representatives of SENADIS and CONADIS, as well as with political party leaders.

15. In addition, in March, April and May 2014, joint documentation drives (for the issuance of national identity cards) were carried out jointly by SENADIS, the Higher Court of Electoral Justice and the Identification Department of the National Police. The aim of the initiative is to facilitate formalities for the large number of undocumented Paraguayans who have no access to the service, so that they may be registered in the Permanent Civil Register.

16. The enfranchisement of persons with disabilities is currently one of the main areas of work of the Higher Court of Electoral Justice; for that reason, one of the changes that will be submitted to the National Congress will be the repeal of article 91 (b) of Act No. 834/96, the Act establishing the Paraguayan Electoral Code, where it states that *"deaf-mute persons who cannot make themselves understood in writing or by other means"* may not vote.

17. That provision automatically prevents deaf-mute persons from exercising their right to vote. The proposal is therefore to overturn the prohibition and enable those persons who need assistance to exercise their right to vote. This measure will seek to ensure that all persons with any type of disability may be registered in the Permanent Civil Register, without any restrictions whatever.